

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

STARRED QUESTION NO:11
ANSWERED ON:24.02.2016
Compensation for Call drops
Galla Shri Jayadev

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the mechanism in place to ensure compliance of Government/Telecom Regulatory Authority of India (TRAI) directions/orders by the telecom companies including call drops;
- (b) whether the telecom companies are reportedly defying the Government and the (TRAI) order under the guise of court cases;
- (c) if so, the details thereof and the reaction of the Government thereto;
- (d) whether the Delhi High Court has stayed an interim order of TRAI on call drop compensation; and
- (e) if so, the details thereof and the reaction of the Government thereto?

Answer

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF THE LOK SABHA IN RESPECT OF PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO.11 FOR 24th FEBRUARY, 2016 REGARDING "COMPENSATION FOR CALL DROPS".

(a) As per the clause 11 of the Telecom Regulatory Authority of India Act, 1997, Telecom Regulatory Authority of India (TRAI) lay down the standards of quality of service to be provided by the service providers and to ensure the quality of service conduct the periodical survey of such service provided by the service providers so as to protect the interests of the consumers of telecommunication service. Accordingly, TRAI has laid down Quality of Service (QoS) benchmarks for Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service through "The Standards of Quality of Service of Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service Regulations, 2009" issued on 20th March, 2009. Subsequently, these Regulations have been amended from time to time. TRAI has also prescribed financial disincentives upon access service providers for failure to meet the QoS benchmarks. With in effect from 15th October, 2015, TRAI has made the financial disincentives more stringent in cases of continuous non-compliance. The penalties amounting to Rs. 10,70,35,000/- (Rupees Ten crores, Seventy lakhs and Thirty five thousand only) has been imposed so far on defaulting service providers for not meeting the QoS benchmarks.

(b) to (e) In view of the numerous complaints relating to call drops in different parts of India, TRAI, after consulting the stake holders, has enacted the Telecom Consumer Protection (Ninth Amendment) Regulations, 2015 dated 16.10.2015, which came into force on January 1, 2016. As provided in the Regulations, maximum of 3 call drops per day per subscriber are required to be compensated in favour of the caller by the related service provider at the rate of Rs. 1 per call drop in the given service area. However, some of the telecommunications service providers and Cellular Operators Association of India (COAI) moved a petition against the regulations on 9.12.2015 in Delhi High Court. Department of Telecommunications got impleaded as one of the respondents in the above said matter. The hearings had been concluded and the judgment is reserved in the matter. During the course of hearings the Court had directed TRAI on 6th January 2016 not to take any coercive action within the scope of said Regulations.

Moreover, the Department is actively coordinating to improve upon the current status of call drops by involving concerned government agencies such as New Delhi Municipal Corporation (NDMC), Directorate of Estates, Central Public Works Department (CPWD) and Security agencies as well as State Governments for granting permission for deployment of additional sites. Further, the Department as well as TRAI has been spreading the awareness amongst the general public and mobile users that the radio emissions from telecommunications equipments have no potential health hazards.
